



12-04-2001

U.S. Patent & TMO/c/TV Mail Rpt Dt. #11

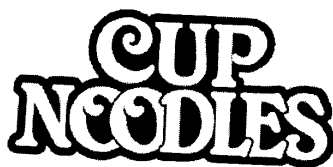
APPLICANT: NISSIN FOOD PRODUCTS CO., LTD.

ADDRESS: 1-1, 4-chome, Nishinakajima, Yodogawa-ku, Osaka, Japan

GOODS/SERVICES: International Class 29

Instant noodle soups consisting primarily of dried noodles
and soup mixes sold in a disposable container

MARK:



Shaw Pittman
2300 N Street, N.W.
Washington, D.C. 20037-1128
202.663.8000



76344353

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TRADEMARK APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

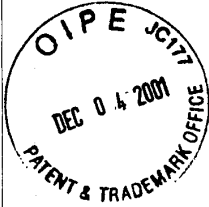
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325.00 OP

ShawPittman LLP

Kathy J. McKnight
202-663-8689
kathy.mcknight@shawpittman.com



The Honorable Commissioner
for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

December 4, 2001

Re: Trademark Application for CUP NOODLES, Class 29
(Nissin Food Products Co., Ltd.)
Our File No. 22265.0002

Dear Madam:

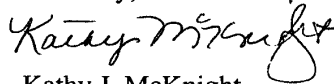
Attached hereto is the following document:

USE-BASED APPLICATION
ONE SPECIMEN

Also enclosed is our check in the amount of \$325. We believe that this amount is accurate but if it is insufficient for this document, please charge our Deposit Account No. 191565 for the remainder. Two copies of this letter are submitted herewith.

If there are any questions, please contact the undersigned.

Sincerely,


Kathy J. McKnight

KJM/vav
Enclosures

TRADEMARK/SERVICE MARK APPLICATION, PRINCIPAL REGISTER, WITH DECLARATION	MARK: (Identify the mark) CUP NOODLES (logo)
CLASS NO. (If known) International Class 29	
TO THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS:	
Applicant Name: NISSIN FOOD PRODUCTS CO., LTD.	
Applicant Business Address: 1-1, 4-chome, Nishinakajima, Yodogawa-ku, Osaka, Japan	
Applicant Entity: (Check one and supply requested information)	
<input type="checkbox"/> Individual – Citizenship: (Country) _____	
<input type="checkbox"/> Partnership – Partnership Domicile: (State and Country) _____ Names and Citizenship (Country) of General Partners: _____	
<input checked="" type="checkbox"/> Corporation – State (Country, if appropriate) of Incorporation: <u>Japan</u>	
<input type="checkbox"/> Other: (Specify Nature of Entity and Domicile) _____	
GOODS AND/OR SERVICES	
Applicant requests registration of the above-identified trademark/service mark shown in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended) for the following goods/services: <u>Instant noodle soups consisting primarily of dried noodles and soup mixes sold in a disposable container</u>	
BASIS FOR APPLICATION (Check one or more, but NOT both the first AND second bases, and supply requested information)	
<input checked="" type="checkbox"/> Applicant is using the mark in commerce or in connection with the above-identified goods/services. (15 U.S.C. 1051(a), as amended.) Three specimens showing the mark as used in commerce are submitted with this application.	
• Date of first use of the mark anywhere: <u>August 12, 1992</u>	
• Date of the first use of the mark in commerce, which the U.S. Congress may regulate: <u>January 1, 2000</u>	
• Specify the type of commerce (e.g., interstate, between the U.S. and a specified foreign country) _____ <u>between the United States and Mexico</u>	
• Specify manner or mode of use of mark on or in connection with the goods/services (e.g., trademark is applied to labels, service mark is used in advertisements): <u>Trademark is applied to packaging.</u>	
<input type="checkbox"/> Applicant has a bona fide intention to use the mark in commerce on or in connection with the above-identified goods/services. (15 U.S.C. 1051(b), as amended.) Specify intended manner or mode of use of mark on or in connection with the goods/services (e.g., trademark will be applied to labels, service mark will be used in advertisements) _____	
<input type="checkbox"/> Applicant has a bona fide intention to use the mark in commerce on or in connection with the above-identified goods/services, and asserts a claim of priority based upon a foreign application in accordance with 15 U.S.C. 1126(d), as amended.	
• Country of foreign filing: _____ • Date of foreign filing: _____	
<input type="checkbox"/> Applicant has a bona fide intention to use the mark in commerce on or in connection with the above identified goods/services and, accompanying this application, submits a certification or certified copy of a foreign registration in accordance with 15 U.S.C. 1126(e), as amended.	
• Country of registration: _____ • Registration Number: _____	
Note: Declaration, on Reverse Side, MUST be Signed	

POWER OF ATTORNEY

Applicant hereby appoints Alan S. Cooper, Kathy J. McKnight, Michael D. Bednarek, Eric T. Fingerhut, Nancy S. Lapidus, P.L. Skip Singleton, Jr. and Caroline C. Smith, all members of the bar of the highest court of the District of Columbia, and Alisa C. Key, a member of the bar of the highest court of the State of Maryland, and each of them, c/o Shaw Pittman, 2300 N Street, N.W., Washington, D.C. 20037-1128, phone 202.663.8000, its attorneys, with full power of substitution and revocation, to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration.

Please direct all correspondence and telephone inquiries regarding this application to Kathy J. McKnight at the above-identified address and number.

DESIGNATION OF DOMESTIC REPRESENTATIVE

Applicant hereby designates Shaw Pittman, 2300 N Street, N.W., Washington, D.C. 20037-1128 as its domestic representative upon whom notice or process in proceedings affecting the mark may be served.

DECLARATION

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. 1051(b), he/she believes the applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the above identified mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Date: November 9, 2001

By: Koki Ando
(Signature)

Name : Koki ANDO

Title : President & Representative Director